

**APPENDIX 1: PROPOSED CASE SCHEDULE**

<b>Event</b>	<b>Plaintiff's Proposal</b>	<b>Defendants' Proposal</b>
P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions (and P.R. 3-2 document production) to be served	February 4, 2019	January 17, 2019
Join Additional Parties	March 1, 2019	
Mediation. The Court will appoint a mediator at the Scheduling Conference.	30 days after entry of the claim construction order	45 days after deadline to file dispositive motions
Privilege Logs to be exchanged by parties (or a letter to the Court stating that there are no disputes as to claims of privileged documents).	March 15, 2019	
P.R. 3-3 Invalidity Contentions (and P.R. 3-4 document production) to be served. To extent not already required to be disclosed, exchange Mandatory Disclosures on all issues, including damages.	March 26, 2019	March 21, 2019
Parties to exchange proposed terms for construction and identify any claim element governed by 35 U.S.C. § 112, ¶ 6 (P.R. 4-1).	April 4, 2019	March 28, 2019
Parties to exchange preliminary proposed claim construction and extrinsic evidence supporting same (P.R. 4-2).	April 18, 2019	April 11, 2019

Event	Plaintiff's Proposal	Defendants' Proposal
Parties' Final Amended Pleadings <b>(A motion for leave is required.)</b>	April 25, 2019	
Joint Claim Construction and Prehearing Statement to be filed (P.R. 4-3). Provide an estimate of how many pages are needed to brief the disputed claims.	May 2, 2019	
Respond to Amended Pleadings	May 16, 2019	
Completion date for discovery on claim construction (P.R. 4-4).	May 16, 2019	
Opening claim construction brief (P.R. 4-5(a)).	May 23, 2019	
Responsive claim construction brief (P.R. 4-5(b)).	June 6, 2019	
Reply claim construction brief (P.R. 4-5(c)).	June 13, 2019	
Submit technology synopsis/tutorial (both hard copy and disk).	June 20, 2019	At the Court's discretion to be discussed at the Rule 16 conference
Parties to file joint claim construction and chart (P.R. 4-5(d)). Parties shall work together to agree on as many claim terms as possible.	June 28, 2019	
Proposed Claim Construction hearing	<b>Wednesday, July 10, 2019 (subject to Court approval)</b>	

Event	Plaintiff's Proposal	Defendants' Proposal
<p>Deadline for Initial Mandatory Disclosure of all persons, documents, data compilations and tangible things, which are relevant to a claim or defense of any party and which has not previously been disclosed. This deadline is not an extension of earlier deadlines set out in this court's order or the Patent Rules, nor an excuse to delay disclosure of information. It is a "catchall" deadline for provision of all remaining information which may be relevant to a claim or defense of any party at trial.</p>	August 14, 2019	
<p>Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(a)(2)(B).</p>	September 11, 2019	
<p>Comply with P.R. 3-7. (Designation of Wilfulness Opinions).</p>	September 11, 2019	
<p>Parties to Designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B).</p> <p><b>Note: Objections to any expert, including Daubert motions, shall be filed within</b></p>	October 9, 2019	

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<b>3 weeks after the expert's Report has been disclosed. Such objections and motions are limited to ten pages each.</b>		
Discovery Deadline. All discovery must be served in time to be completed by this date.	October 23, 2019	
File Dispositive Motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rule CV-7.  <b>Responses to motions shall be due in accordance with Local Rule CV-7(e).</b>	October 30, 2019	
Notice of intent to offer certified records	December 11, 2019	
Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order ( <i>See</i> <a href="http://www.txed.uscourts.gov">www.txed.uscourts.gov</a> ) and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).	December 11, 2019	
Video Deposition Designation due. Each party who proposes	December 18, 2019	

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<p>to offer a deposition by video shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties designations and the court's rulings on objections</p>		
<p>Motions in limine due</p> <p>File Joint Final Pretrial Order. Exchange Exhibits and deliver copies to the court. At this date, all that is required to be submitted to the court is a hyperlinked exhibit list on disk (2 copies) and no hard copies</p>	December 16, 2019	
<p>Response to motions in limine due</p> <p>File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. (This does not extend the deadline to object to expert witnesses). If numerous objections are filed the court may set a hearing prior to docket call.</p>	January 4, 2020	

Event	Plaintiff's Proposal	Defendants' Proposal
File Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law).		
Final Pretrial Conference at 9:00 a.m. at the Paul Brown United States Courthouse, 101 E. Pecan Street, Sherman, Texas 75090.	<b>January 15, 2020</b>	
10:00 a.m. Jury Selection and Trial at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas.		
	TBD	